

FILED
12/28/2017
NF

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RECEIVED

DEC 06 2017 *PD*

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Jason Shelton

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No: 17CV7326
(To be supplied by the Clerk of this Court)

EDDIE Johnson

Officer. Sandoval

Officer. mendoza

Tom Dart

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

AMENDED COMPLAINT

☒

**COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)**

☐

**COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)**

☐

OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

I. Plaintiff(s):

- A. Name: Jason Shelton
- B. List all aliases: N/A
- C. Prisoner identification number: 20161216077
- D. Place of present confinement: Cook County Jail
- E. Address: P.O. BOX 089002

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: EDDIE Johnson
 Title: Superintendent of C.P.D
 Place of Employment: Chicago police Department
- B. Defendant: Officer Sandoval
 Title: Officer
 Place of Employment: Chicago police Department
- C. Defendant: Officer mendoza
 Title: Officer
 Place of Employment: Chicago Police Department

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

D. Defendant: Tom DART

Title: Cook County Sheriff

Place of Employment: Cook County Sheriff Department.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: N/A
- B. Approximate date of filing lawsuit: _____
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

N/A
- D. List all defendants: _____

N/A
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): N/A
- F. Name of judge to whom case was assigned: N/A
- G. Basic claim made: N/A
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A
- I. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

On December 14th 2016, Officers Sandoval and Officer Mandoza along with other officers I don't know came to my residence at 1800 S. Hamlin saying there was a domestic call at my address. there was no such call, the ~~reason~~^{Reason} they came was to illegally seek me out for an investigative alert. they had no warrant or Probable cause to come to my residence. the investigative alert is an intra-department notice that Police officers rely on to take someone into custody. it is not an arrest warrant. Rather, it is a administrative order to arrest a person based on information that they were involved in a crime at some point in time. But an investigative alert completely bypasses the legal procedure for obtaining an arrest warrant. there is no application, no sworn statement, and no judge looking for facts that constitute probable cause. instead, the Police issue the alert and any officer who "finds the suspect" is ordered to take him into custody. there are two forms of investigative alerts according to Chicago Police Department Special order SO4-16. #1 investigative alert w/ Probable cause and #2. investigative alert w/ no Probable cause. As it stands, the investigative alert is a violation of the Illinois state Constitution (Article I, Section 6) and Federal Constitution (4th Amendment), which both require a warrant based on probable cause to arrest. Basically, the only circumstance in which an arrest is legal with out-

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

a warrant is when the police observe the suspect commit a crime. But investigative alerts concern alleged crimes that took place months and years earlier. they lie dormant in the Chicago police database until that person or someone matching his or her description is encountered by an officer. there was no active Arrest Warrant for the officer to come to my house and take me into custody. I was illegally arrested for allegedly committing two Armed Robberies a month or so earlier. An Arrest Warrant should've been obtained by the Chicago Police Department, if the police had any actual probable cause to arrest me. But there is no probable cause in my case and an investigative alert is not legally recognized to come to an individual's residence and arrest him or her. this is a violation of my 4th Amendment right against illegal search and seizure. (See Exhibit A).

Eddie Johnson is the Head of the Chicago Police Department and his officers conducted an illegal arrest. Gonzalez J. was Officer Sandoval and Officer Mendez's Supervisor. and Approved the Arrest. Tom Dart is holding me in the Cook County Jail on an illegal arrest.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

THE PLAINTIFF IS SEEKING FIVE-HUNDRED THOUSAND
DOLLARS IN PUNITIVE DAMAGES AND TWO-HUNDRED FIFTY
THOUSAND DOLLARS IN COMPENSATORY
DAMAGES.

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 15 day of 11, 2017

Jason Shelton
 (Signature of plaintiff or plaintiffs)

Jason Shelton
 (Print name)

20161216077
 (I.D. Number)

P.O. BOX 089002

Chicago IL 60608
 (Address)

CHICAGO POLICE DEPARTMENT

FINAL APPROVAL

CB #: 19410543

IR #: 1239217

YD #:

RD #: HZ534099

EVENT #: 1633416078

ARREST REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

(For use by Chicago Police Department Personnel Only)

CPD-11. 420C (REV. 6/30)

ARREST REPORTING

Name: **SHELTON, Jason**Res: 1800 S Hamlin Ave, #2
Chicago, IL 60623
None

Beat: 1014

Male
Black
5' 07"
170 lbs
Brown Eyes
Black Hair
Short Hair Style
Medium Complexion

DOB: 26 February 1982

AGE: 34 years

POB: Illinois

ARMED WITH Unarmed

OFFENDER

ARREST

Arrest Date: 14 December 2016 15:35

TRR Completed? No

Total No Arrested: 1

Co-Arrests

Assoc Cases

Location: 1800 S Hamlin Ave
Chicago, IL 60623
090 - Apartment

Beat: 1014

Dependent Children? No

DCFS Ward ? No

Holding Facility: District 010 Lockup

Resisted Arrest? No

INCIDENT

COURT

CHARGES

- 1 Offense As Cited **720 ILCS 5.0/18-2-A-2**
ROBBERY - ARMED W/ FIREARM
Class X - Type F
- 2 Offense As Cited **720 ILCS 5.0/18-2-A-2**
ROBBERY - ARMED W/ FIREARM
Class X - Type F

Victim



COURT

FELONY REVIEW

Felony Review : Approved 15 DEC 2016 16:38

Labarbara, J

State's Attorneys's Office

IR #1239217

RECOVERED NARCOTICS

NO NARCOTICS RECOVERED

CB #: 19410543

DOMESTIC INFO

OTHER

Miscellaneous

Victim Information Provided

Flash Message Sent ? No

VEHICLE

Vehicle #1

Vehicle: 2012 Ford - Unknown - Automobile

Damaged? No

Owner: [REDACTED]

Style: Taxi

Possessor/User: [REDACTED]

Theft From? No

Towed? No

Burned? No

License Plate #: [REDACTED]

Destroyed? No

Stolen? No

OTHER PROPERTIES

Property #1

Possessor/User: [REDACTED]

Quantity: 1

Used as Weapon? No

Type: Purses/Handbags/Wallets

Taken/Stolen? Yes

Description: Black Billfold Wallet

Owner: [REDACTED]

Recovered? No

Damaged? No

Property #2

Possessor/User: [REDACTED]

Estimated Value: \$30.00

Used as Weapon? No

Description: U.S. Currency

Owner: [REDACTED]

Taken/Stolen? Yes

Recovered? No

Damaged? No

NARRATIVE

EVENT # 16078 IN SUMMARY, ON DUTY TAXI DRIVER [REDACTED] (VICTIM AND COMPLAINANT) WALKED INTO 010 TO REPORT A ROBBERY. [REDACTED] (VICTIM AND COMPLAINANT) FURTHER RELATED THAT HE WENT TO [REDACTED] TO PICK UP A CUSTOMER WHEN THE PASSENGER, AN UNKNOWN M/1 APPROX. 505/150 WEARING ALL BLACK CLOTHING, INCLUDING A BLACK SKULL CAP, DISPLAYED AN UNKNOWN HANDGUN, DEMANDED HIS MONEY AND CELLPHONE, AND THEN EXITED THE TAXI AND FLED IN AN UNKNOWN DIRECTION. [REDACTED] (VICTIM AND COMPLAINANT) FURTHER RELATED HE WAS ADVISED BY HIS DISPATCHED THAT THE MAN'S NAME WAS "[REDACTED]". AREA CENTRAL DETECTIVES NOTIFIED AT 2331HRS, RONEY # 2244. VIN GIVEN.

- STAR#: 16462 NAME: JAIME ACOSTA BEAT: 1002

PERSONNEL

	Star No	Emp No	Name	User	Date	Unit	Beat
Approving Supervisor	1534	[REDACTED]	PATEL, Hitesh, H	[REDACTED]	30 Nov 2016 05:02	010	
Detective/Investigator	21168	[REDACTED]	HONEA, Paul, G	[REDACTED]	30 Nov 2016 07:26	610	
Reporting Officer	16462	[REDACTED]	ACOSTA, Jaime, A	[REDACTED]	29 Nov 2016 23:59	010	1002

Chicago Police Department - ARREST Report

CB #: 19410543

SHELTON, Jason

ARREST REPORTING

WARRANT

NO WARRANT IDENTIFIED

NON-OFFENDER(S)

VICTIM AND COMPLAINANT

Name:

Res:

Beat:831

Male

Black

DOB: 1973

Age:43 years

Comments:

Injured? No

Deceased? No

Hospitalized? No

Treated and Released? No

ARRESTEE
VEHICLE

NO ARRESTEE VEHICLE INFORMATION ENTERED

PROPERTIES

Confiscated Properties :

All confiscated properties are recorded in the e-Track System. This system can be queried by the inventory number to retrieve all official court documents related to evidence and/or recovered properties.

PROPERTIES INFORMATION FOR SHELTON, Jason, NOT AVAILABLE IN THE AUTOMATED ARREST SYSTEM.

INCIDENT NARRATIVE

(The facts for probable cause to arrest AND to substantiate the charges include, but are not limited to, the following)

EVENT #07555

ABOVE ARRESTED AFTER A/O'S ALONG WITH THE 1006 TEAM WORKING A ROBBERY MISSION WERE INFORMED BY AREA CENTRAL/RBT THAT ABOVE HAD AN ACTIVE INVESTIGATIVE ALERT (#299995104) WITH P/C TO ARREST FOR ARMED ROBBERY. SAID ROBBERY REPORTED UNDER RD #HZ-534099 ON 29 NOV 16 AT 3830 W. 18TH ST. WHERE THE VICTIM WAS ROBBED AT GUNPOINT AND HAD \$30.00 USC AND PROPERTY TAKEN. A/O'S ARRIVED TO ABOVE'S RESIDENCE AND AFTER KNOCKING AND ANNOUNCING THEIR OFFICE, ASKED FOR ABOVE. ABOVE'S FATHER, [REDACTED], OPENED DOOR AND STATED HIS SON WAS ON COUCH WHERE A/O'S THEN TOOK HIM INTO CUSTODY. ABOVE WAS TRANSPORTED TO 010 FOR BOOKING. A/C RBT DET. HONEA #21168 NOTIFIED. NAME CHECK/TRAP/GIPP/2DA CLEAR. ARREST RECORDED ON BWC.

SEE WC COMMENTS SECTION FOR ADDITIONAL COMMENTS

COURT INFO

Desired Court Date: 21 December 2016

Branch: 44-4 3150 W FLOURNOY ST - Room

Court Sgt Handle? No

Initial Court Date: 16 December 2016

Branch: CBC-1 2600 S CALIFORNIA - Room100

Docket #:

BOND INFO

BOND INFORMATION NOT AVAILABLE

Print Generated By: [REDACTED]

Page 2 of 3

27 FEB 2017 02:34

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CHICAGO POLICE DEPARTMENT

RD #: HZ534099

ORIGINAL CASE INCIDENT REPORT

EVENT #: 1633416078

3510 S. Michigan Avenue, Chicago, Illinois 60653

Case ID: 10768682 CASR229

(For use by Chicago Police Department Personnel Only)

CPD-11.388(6/03)-C)

PROGRESS

IUCR: 031A - Robbery - Armed: Handgun

Occurrence 3818 W 18th St

Beat: 1014

Unit Assigned: 1002

Location: Chicago IL

RO Arrival Date: 29 November 2016 23:15

304 - Street

Offenders: 1

Occurrence Date: 29 November 2016 23:00

VICTIM - Individual

Name: [REDACTED]

Res: [REDACTED]

Beat: 0831

Empl: [REDACTED]

Beat: 5100

Sobriety: Sober

Demographics

Male

DOB: [REDACTED]

1973

Black

Age:

43 Years

6'00,

200 lbs

Other Communications and Availability

Business 312-326-2221

Phone:

Injury Info [REDACTED]

Responding Unit:

Suspect # 1

Name: OFFENDER(S)-NO DETAILS

Demographics

Other Communications and Availability

Injury Info

Responding

Unit:

RELATIONSHIP

(Victim)

PANAMA, Julian,A

is a No Relationship of

(Offender)

OFFENDER(S)-NO DETAILS

RD #: HZ534099

Chicago Police Department - ARREST Report

CB #: 19410543

SHELTON, Jason

ARREST REPORTING

ATTESTING OFFICER:

I hereby declare and affirm, under penalty of perjury, that the facts stated herein are accurate to the best of my knowledge, information and/or belief.

Attesting Officer: #1 [REDACTED] SANDOVAL, V M [REDACTED] 14 DEC 2016 17:02

ARRESTING OFFICER(S):

1st Arresting Officer: #19663 SANDOVAL, V M [REDACTED] Beat 1054

2nd Arresting Officer: #0843 MENDOZA, M J [REDACTED] Beat 1054

APPROVING SUPERVISOR:

Approval of Probable Cause : #933 GONZALEZ, J [REDACTED] 14 DEC 2016 17:12



Jason Snelten
ZO.# 20161216077
P.O. Box 089002
Chicago IL 60608

RECEIVED
2017 DEC -6 AM 8:30

Prisoner Correspondent,
United States District Court
214 S. Dearborn Street,
Chicago IL 60604.